

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57080 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- HATHUA District- Gopalganj

1. MADHAWLAL SAH son of Jagarnath Sah Village- Chainpur Ps- hathwa Dist- Gopalganj
2. Nikesh Sah @ Nikesh Kumar son of Udhawchand Sah @ Udhaw lal sah Village- Chainpur Ps- hathwa Dist- Gopalganj
3. Raviraj Sah @ Raviraj Kumar son of Madhawlal Sah Village- Chainpur Ps- hathwa Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Kumari Anupam, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Pritish Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2023 Heard learned counsel for the petitioners and learned APP for the State assisted by learned counsel for the informant.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1, submitting that during pendency of this application petitioner no.1 has been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.1 only.

5. Now, this application survives only for petitioner nos.2 and 3.



6. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 342, 323, 325, 307, 504, 506 & 379/34 of the Indian Penal Code.

7. The allegation against the petitioners is that they along with other co-accused persons have brutally assaulted the father of the informant.

8. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that although the injury sustained by the victim is grievous in nature but the allegation against these petitioners are general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State assisted by learned counsel for the informant opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case as well as the fact that the allegation against these petitioners are general and omnibus in nature, let the above named petitioner nos.2 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six



weeks from today, on furnishing bail bond of Rs.25,000/-
(Rupees Twenty Five Thousand) each with two sureties of the
like amount each to the satisfaction of the learned lower Court
where the case is pending/successor Court in connection with
Hathwa P.S. Case No.143 of 2023, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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